

Senate File 455

S-3100

1 Amend Senate File 455 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 331.301, Code 2021, is amended by adding
5 the following new subsection:

6 NEW SUBSECTION. 18. *a.* A county shall not adopt, enforce,
7 or otherwise administer an ordinance, motion, resolution,
8 or amendment, or use any other means, to restrict, impede,
9 regulate, or prohibit, intentionally or effectively, any of the
10 following:

11 (1) The provision of natural gas service by a public utility
12 as defined in section 476.1, a competitive natural gas provider
13 as defined in section 476.86, or a retail propane marketer or
14 retail propane dispenser as those terms are defined in section
15 101C.2 to a person, business, municipality, or other wholesale
16 or retail customer within or outside the county.

17 (2) The purchase of natural gas or propane from a
18 competitive natural gas provider as defined in section 476.86
19 or a retail propane marketer or retail propane dispenser as
20 those terms are defined in section 101C.2, or the receipt of
21 natural gas or propane service from a public utility as defined
22 in section 476.1, by any person, business, municipality, or
23 other wholesale or retail customer within or outside the
24 county.

25 *b.* Paragraph "*a*" does not apply to an ordinance, motion,
26 resolution, or amendment that regulates a retail propane
27 marketer or retail propane dispenser, as those terms are
28 defined in section 101C.2, adopted before the effective date
29 of this Act.

30 Sec. 2. Section 364.3, Code 2021, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 13. *a.* A city shall not adopt, enforce,
33 or otherwise administer an ordinance, motion, resolution,
34 or amendment, or use any other means, to restrict, impede,
35 regulate, or prohibit, intentionally or effectively, any of the

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(amending this SF 455 to CONFORM to HF 555)

1 following:

2 (1) The provision of natural gas service by a public utility
3 as defined in section 476.1, a competitive natural gas provider
4 as defined in section 476.86, or a retail propane marketer or
5 retail propane dispenser as those terms are defined in section
6 101C.2 to a person, business, municipality, or other wholesale
7 or retail customer within or outside the incorporated area of
8 the city.

9 (2) The purchase of natural gas or propane from a
10 competitive natural gas provider as defined in section 476.86
11 or a retail propane marketer or retail propane dispenser as
12 those terms are defined in section 101C.2, or the receipt of
13 natural gas or propane service from a public utility as defined
14 in section 476.1, by any person, business, municipality, or
15 other wholesale or retail customer within or outside the
16 incorporated area of the city.

17 b. (1) Paragraph "a" does not apply to an ordinance
18 granting, extending, amending, or renewing a franchise pursuant
19 to section 364.2, subsection 4, that does not restrict or
20 impede the provision of natural gas service.

21 (2) Paragraph "a" does not apply to an ordinance, motion,
22 resolution, or amendment relating to the rates, services, or
23 governance of a public utility providing gas service to the
24 public for compensation and subject to the jurisdiction of
25 the utilities board of the department of commerce pursuant to
26 section 476.1B.

27 (3) Paragraph "a" does not apply to an ordinance, motion,
28 resolution, or amendment that regulates a retail propane
29 marketer or retail propane dispenser, as those terms are
30 defined in section 101C.2, adopted before the effective date
31 of this Act.>

JASON SCHULTZ